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REMARKS

Claims 1-13 are in the application as filed. Claims 6-13 are withdrawn and Claims 1-5 are rejected. Claims 6-9 have been amended to remove the improper multiple dependency and language. Request is made that these claims be rejoined with Claims 1-5.

REJECTION UNDER 35 USC 112

Claims 4 and 5 are rejected as being in improper Markush form. The examiner asserts that the term "consisting of" should be used in Markush claims language. These claims have been amended consistent with the Examiner's suggestion.

REJECTIONS UNDER 35 USC 102 and 103

Claims 1-5 are rejected under 35 USC 102(b) as anticipated by Tremel et al. US Publication 2005/0238803 A1 (priority based on provisional application 60/519,139, filed on Nov. 12, 2003). The examiner asserts that Tremel et al. teach a method of adhering getter materials to a surface for use in electronic devices. Applicants respectfully assert that their claims, as amended herein, are not anticipated by Tremel et al.

Tremel et al. disclose a method for adhering a getter material to a surface, said method comprising the steps of: (a) applying to at least a portion of a surface at least one getter composition comprising: (i) particles of at least one getter; (ii) particles of at least one inorganic binder; and (iii) a liquid medium, and (b) densifying the getter composition in an environment substantially free of contaminants so as to activate the getter material and to cause it to adhere to the surface. The getter may comprise a molecular sieve or a zeolite sieve. The binder may comprise at least one material selected from glass frits and clay particle materials. In the above method the inorganic binder may comprise a glass frit comprising Al₂O₃, SiO₂, B₂O₃, PbO, K₂O, Bi₂O₃, Na₂O, Li₂O, P₂O₅, NaF, CdO, and MO where O is oxygen and M is selected from Ba, Sr, Pb, Ca, Zn, Cu, Mg, and mixtures thereof; and the molecular sieve particles comprise at least one synthetic zeolite or natural zeolite.

It is noted that James David Tremel, Terri Cardellino, and Young Cho are also inventors of the present application, filed on November 13, 2003; a day after Tremel et al. 60/519,139 was filed. Any contribution by Tremel, Cardellino and Cho to the present application was derived from their contribution to provisional '139. The present composition is described by Claim 1 as "A screen-printable getter compositions comprising: glass frit;

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dispersed in organic medium wherein the composition contains no desiccant material and in Claim 2, a screen-printable getter composition comprising: glass frit; and desiccant material; dispersed in organic medium. The organic medium in each case is comprised of organic polymeric binder and volatile organic solvents. Applicants, in their Claim 1, do not disclose the synthetic or natural desiccant zeolite getters as in the Tremel; et al. reference. In Claim 1, no desiccant is required for the use in the glass powder dispersed in an organic medium composition so as to serve as a thick film getter or additive to promote densification of thick films and adhesion to substrate surfaces (See present specification at page 4, lines 21-25.) However, Applicant's composition may further contain a desiccant or other impurity absorbing material. The low softening glass of the instant invention is dispersed in organic media before firing to form a viscous paste. Upon firing the glass wets the substrate or where it is present, wets the desiccant. The glass itself does not have to be porous or produced by any fast evaporation or bubbling as in some examples of the art. See spec at page 6, lines 1-6. However, a proper choice of hygroscopic glass is required. The getter composition in the present case is bonded to the substrate by firing.

Claims 1-5 are rejected as anticipated over Cho et al. 6,835,682, examples 18-31.

'682 are assigned to the same entity as the instant application and was invented by one of the same inventors as in the instant case. It concerns: among other embodiments:

1. A glass composition comprising, in mole %, 10-25% SiO₂, 10-25% B₂O₃, 5-10% BaO, 40-65% MgO, 0.5-3% ZrO₂, 0.3-3% P₂O₅, and 0.2-5% M₂O where M is selected from the group of alkali metal elements and mixtures thereof.

Claim 2 teaches the composition of claim 1 wherein the alkali metal element is selected from Li, Na and K.

Cho et al teach a composition having 2-5% M where M is an alkali metal. It should be noted that Applicant Cho's contribution to the instant application was likely to be derived from his contribution to 6,835,682 and thus should not comprise a reference against the present application.

Claims 1-3 are rejected as anticipated over US 4,615,823 ('823), Tokuyama and

Claims 4-5 are rejected as obvious over '823.

Tokuyama discloses desiccating agents comprising a mixture of (A) a deliquescent salt, (B) a hydrolyzed copolymer containing 50 to 99.8% by mole of vinyl acetate and 50 to 0.2% by mole of an unsaturated dicarboxylic acid or ester thereof in which a degree of

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hydrolysis of the vinyl acetate component is not less than 70% by mole, and (C) a fibrous material having a diameter of 0.1 to 0.002 mm and a length of 15 to 0.005 mm as main components. The examiner argues that Tokuyama teaches a desiccating mixture that can be reused as grounds for rejecting Claims 1-3. Applicant acknowledges that the desiccating mixture of Tokuyama is reusable as is the present desiccant. However, the present invention does not require a desiccant as in Tokuyama (See present Claim 1) and Tokuyama does not disclose the glass powders that is an integral part of the present invention and are included in Claim 4 and 5. Concerning claims 4 and 5, the examiner notes that there is no direct teaching by way of example as to where applicants polymeric binders and organic solvents are used. In view of the differences pointed out herein the Tokuyama provides little or no motivation for developing applicant's glasses and applicant's claimed polymers, binders and organic solvents.

Claim 1-5 are rejected as obvious over Borroughs US 3,235,089. Borroughs discloses a composite absorbant filter body consisting essentially of an absorbant material selected from the group consisting of molecular sieves, activated alumina and mixtures thereof, fused together by absorbent material of a glass frit having maturing temperature between 850°F and 2000 degrees F. The glasses used in the present case densify at lower densification temperatures i.e. 400-650 degrees C. This differs from the above higher temperatures in Borroughs. Further, Claim 1 does not require the use of desiccants and absorbers as in Borroughs. In view of these differences, applicant respectfully submits that Borroughs does not provide the motivation to arrive at the present invention.

Claims 1-3 are rejected as anticipated by Shores US 5,244,707. Claims 4-5 are rejected as over '707.

Applicant respectfully argues that Claims 1-3 are not anticipated and Claims 4-5 are not obvious over Shores. As noted in applicant's background section of their specification, '707 discloses a sealed enclosure of an electronic device which incorporates a coating or adhesive with desiccant properties. The coating comprises a protonated alumino silicate powder dispersed in polymer. Claim 1 of the present case and its dependent claims does not require a desiccant. Further Shores does not disclose the selection of glass powders disclosed herein.

Claims 1-5 are rejected as obvious over Shores, US 5,591,379. As noted in applicants' specification: '379 to Shores teaches a composition of matter useful as a desiccant in a hermetic electronic device, comprising a powder dispersed in a binder, where the powder is

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selected from the group consisting of zeolite molecular sieves, activated alumina, silica gel, alkaline earth oxide, and alkali metal carbonate; said binder is a continuous matrix of porous glass or porous ceramic; and said powder to binder volume ratio is 0.001-2. The glasses disclosed for use as a binder must be made porous by creating channels for water vapor to penetrate. This may be done by various techniques known in the art, such as the use of blowing agents, fast evaporation of water or other gases during formation, fast decomposition of metalloorganic polymers and low temperature or incomplete sintering.

Shores differs from applicants invention as there is no teaching by any example to an embodiment where the glass binder is used with a polymeric binder. As pointed out in the background. Further the glasses in Shores require channels or porousness for the water vapor to penetrate. The present invention does not require this porousness (See page 6, lines 1-6 of the present specification).

DOUBLE PATENTING

Claims 1-5 were rejected as obvious over Claims 4-9 of US 6,835,682. A terminal disclaimer is attached.

PROVISIONAL DOUBLE PATENTING

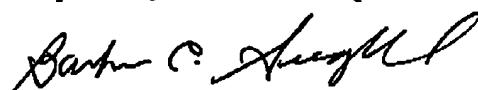
Claims 1-5 are rejected over Claims 2-7 of copending application 10/634,505.

Applicant has submitted the attached provisional disclaimer over '505.

In view of the foregoing, discussion, the attached terminal disclaimers and the amendments submitted herewith allowance of the above-referenced Claims 1-9 is respectfully requested.

If anything further is needed to advance the allowance of this application, the Examiner is urged to contact applicant's attorney at the telephone number below.

Respectfully submitted,



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